

REMARKS

Entry of the foregoing amendments to the specification and favorable reconsideration of the subject application in light of the following remarks are respectfully requested.

By the present amendment, the specification has been amended to note RYTON in all caps accompanied by the appropriate symbol indicating it as a registered trademark. This amendment has been made consistent with the Examiner's helpful suggestion in the Office Action.

In the Official Action, the Examiner also sets forth the Restriction Requirement between Group I, claims 1-9 and 15-17, and Group II, claims 10-14. Applicant affirms the election of the Group I, claims 1-9 and 15-17 for further prosecution in the present application, the election being made without traverse.

Turning now to the rejections of record, elected claims 1-9 and 15-17 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,830,656 issued to Kinsley Jr. taken in view of Watkins U.S. Patent No. 5,085,938. For the following reasons, however, applicant respectfully traverses the Examiners rejection of record.

It is noted by the Examiner that Kinsley does not suggest or disclose the use poly(phenylene sulfide) as the binder for a nonwoven web comprised of metal or refractory fibers. There is no suggestion or motivation from reading Kinsley to employ poly(phenylene sulfide) as the binder for metal or refractory fibers. One of ordinary skill in the art reading Kinsley would in no manner come away from such a reading with any expectation that poly(phenylene sulfide) could be successfully used as a binder for metal or refractory fibers.

The Examiner applies a secondary reference, Watkins, in an attempt to cure the deficiencies of Kinsley. However, it is submitted that Watkins does not provide the necessary suggestion or motivation to change Kinsley and employ poly(phenylene sulfide) as a binder in a nonwoven web comprised of metal or refractory fibers. It is respectfully submitted that this is the case because Watkins does not suggest using poly(phenylene sulfide) as a binder, but rather that the poly(phenylene sulfide) is used as a matrix polymer employed for molding. Please note column 1 of Watkins, lines 14-15, line 20 and line 65-67, as well as column 2, lines 8-10 and column 3, lines 14-16. Watkins suggests that when one has a matrix polymer to be used in molding (such as poly(phenylene sulfide)), reinforcement to enhance its properties would be useful. The reinforcement is suggested to be chemically treated high modulus fibers such as glass which have an aqueous chemical treating composition present along with water a water soluble, silylated azide in a stable form and one more stabilizing agents selected from a matrix-polymer-compatible film former in a fortified dispersion, silylated or at least a medium molecular weight polyvinyl alcohol and/or an unsaturated organic compound.

Therefore, there is no suggestion to combine Watkins with Kinsley in order to provide the nonwoven fibers web of the present invention, which is comprised of metal or refractory fibers and poly(phenylene sulfide) as a binder for set fibers.

Furthermore, even if one were to combine Watkins with Kinsley as suggested by the Examiner, the poly(phenylene sulfide) would not be used as a binder, but as a matrix material into which the nonwoven web is used as a reinforcement, and not with the poly(phenylene sulfide) as a binder for the nonwoven web. The use of poly-

phenylene sulfide) successfully as a binder for a nonwoven web of metal for refractory fibers is no where suggested in Watkins, or the combination of Watkins and Kinsley.

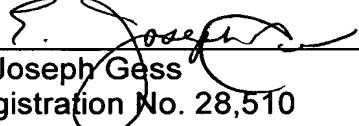
Accordingly, it is respectfully submitted that claims 1-9 and 15-17 patentably distinguish Kinsley taken in view of Watkins. There is no suggestion in either of the two references alone, or when taken together, of applicant's claimed invention. Favorable reconsideration and withdrawal of the Examiner's rejection of record under 35 U.S.C. § are therefore respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 20, 2005

By: 
E. Joseph Gess
Registration No. 28,510

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620